THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 18321 of 2007

Date:03-09-2007

Between:

Biological E Limited, Hyderabad .. **PETITIONER**

AND

The Tahsildar, Toopran and two others .. **RESPONDENTS**

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents 1 and 2 to demarcate the Sy.No.401 of Manoharabad village, Toopran mandal, Medak District by issuing notices, dated 03.08.2007 and 16.08.2007 on the application of the 3rd respondent, as illegal and arbitrary.

The petitioner questions the notices dated 03.08.2007 and 16.08.2007 in File No.D/208/2007 issued by the first respondent asking the petitioner and other neighbouring owners of the land bearing Sy.No.401 situated at Manoharabad, Toopran mandal, Medak District. Based on the application filed by the third respondent claiming the said property, the first respondent issued notices requesting the petitioner and others to appear before him along with relevant documents and to file objections, if any, for the survey of the land in question.

Learned counsel for the petitioner submits that pursuant to the said notices, the petitioner has filed objections on 06.08.2007 and 23.08.2007 stating that, in fact, the said property belongs to M/s. Suchitra Teletubes Ltd. which was sold pursuant to the liquidation proceedings by this Court and the petitioner has purchased the said land and by oversight the Sy.No.401 was not mentioned in the sale deed. It is stated that the petitioner is taking steps to rectify the said mistake and in fact, part of the land in Sy.No.401 admeasuring 23 guntas was also acquired by the land acquisition authorities for widening of the road.

I am not inclined to express any opinion, as admittedly there is no sale deed in favour of the petitioner in proof of his contention that he has purchased the land in Sy.No.401.

As the petitioner questions the only notice proposing to conduct survey of the land and the petitioner has already filed his objections, it is for the respondents 1 and 2 to consider the same and dispose of the matter in accordance with law.

Having regard to the facts of the case, I do not see any merits in the writ petition and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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V.ESWARAIAH, J.

Date:03.09.2007
ccm